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January 13, 2011

VIA FACSIMILE

The Honorable Leonard B. Sand
Daniel Patrick Moynihan
United States District Courthouse
500 Pearl Street
New York, New York 10007

USDS SDNY
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Re: Newman v. Family Management Corp., 08-cv-11215 (LBS)

Dear Judge Sand:

We represent Plaintiffs in this action, and write concerning the briefing schedule for Plaintiffs' motion to alter or amend the judgment entered on October 20, 2010 and for leave to amend the complaint. The Court has previously granted one request from all parties for an extension on the briefing schedule on Plaintiffs' motion, due to intervening holidays and to allow adequate time to address the issues, with Defendants' oppositions due on December 17, 2010 and Plaintiffs' reply due on January 14, 2011. Plaintiffs now respectfully request that the deadline to file their reply be extended one week to January 21, 2011 to allow Plaintiffs' counsel, who have been hampered by the inclement weather, sufficient time to fully respond to the arguments made in the six opposition briefs filed by Defendants. Plaintiffs have requested and received the gracious consent of counsel for the FMC, Andover, and Maxam Defendants, as well as the FM Low Volatility Fund and the Maxam Absolute Return Fund, to the extension, and are awaiting the response of counsel for the Ivy Defendants.

We stand ready to address any questions that Your Honor may have concerning the foregoing.

Respectfully,

Demet Basar / x.m.
Demet Basar

KM/648463
cc: Counsel of Record (via e-mail)

*See document
Referred to Mag. Judge
Perok.
So understood
Sent 1/18/11*